

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN FRANCISCO

FILED

DEC 05 2017

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Sh

UNITED STATES OF AMERICA,

V.

CR 17

609

VC

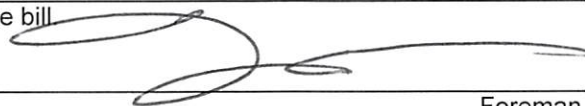
JOSE INEZ GARCIA-ZARATE,

DEFENDANT(S).

INDICTMENT

18 U.S.C. § 922(g)(1) - Felon in Possession of Firearm and Ammunition;
18 U.S.C. § 922(g)(5) - Alien in Possession of Firearm and Ammunition;
28 U.S.C. § 2461 - Criminal Forfeiture

A true bill



Foreman

Filed in open court this 5th day of

December, 2017.

Stephen Ybarra

Clerk

Bail, \$

no bail arrest warrant

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED

Title 18 U.S.C. § 922(g)(1) - Felon in Possession of a Firearm and Ammunition (Class C Felony)

Title 18 U.S.C. § 922(g)(5) - Alien in Possession of a Firearm and Ammunition (Class C Felony)

- ☐
- Petty
-
- ☐
- Minor
-
- ☐
- Misdemeanor
-
- ☒
- Felony

 PENALTY: As to both counts: 10 years imprisonment
 \$250,000 fine
 3 years supervised release
 \$100 mandatory special assessment
 Forfeiture and Restitution

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

DEFENDANT - U.S.

JOSE INEZ GARCIA-ZARATE

DISTRICT COURT NUMBER

FILED CR 17 609 VC

DEFENDANT**IS NOT IN CUSTODY**
 Has not been arrested, pending outcome this proceeding.
☐ If not detained give date any prior summons was served on above charges

- 2)
- ☐
- Is a Fugitive
-
- 3)
- ☐
- Is on Bail or Release from (show District)

IS IN CUSTODY

- 4)
- ☐
- On this charge
-
- 5)
- ☒
- On another conviction }
- ☐
- Federal
- ☒
- State
-
- 6)
- ☐
- Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF)

☐ person is awaiting trial in another Federal or State Court, give name of court☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21, or 40. Show District
☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:
☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form BRIAN STRETCH

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned)

Hallie Hoffman/Shiao Lee

ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

Bail Amount: No bail

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: Before Judge:

Comments:

BRIAN J. STRETCH (CABN 163973)
United States Attorney

FILED

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SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA



UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA

CASE NO. **CR 17 609**

v.

VIOLATIONS:

18 U.S.C. § 922(g)(1) – Felon in Possession of
Firearm and Ammunition;
18 U.S.C. § 922(g)(5) – Alien in Possession of
Firearm and Ammunition;
28 U.S.C. § 2461 – Criminal Forfeiture

JOSE INEZ GARCIA-ZARATE, a/k/a Juan
Jose Dominguez De La Parra, a/k/a Jose Luis
Garcia Sanchez, a/k/a Juan Garcia Sanchez,
a/k/a Juan Francisco Lopez-Sanchez,

Defendant.

SAN FRANCISCO VENUE

INDICTMENT

The Grand Jury charges:

COUNT ONE: (18 U.S.C. § 922(g)(1) — Felon in Possession of Firearm and Ammunition)

On or about July 1, 2015, in the Northern District of California, the defendant,

JOSE INEZ GARCIA-ZARATE, a/k/a Juan Jose Dominguez De La Parra,

a/k/a Jose Luis Garcia Sanchez, a/k/a Juan Garcia Sanchez, a/k/a Juan Francisco Lopez-Sanchez,

having previously been convicted of a felony crime punishable by a term of imprisonment exceeding
one year, did knowingly possess, in and affecting interstate and foreign commerce, a firearm and

INDICTMENT

ammunition, to wit, one (1) .40 caliber Sig Sauer P239 semi-automatic pistol, serial number SA4 144 075, and multiple rounds of Winchester ranger 165 grain .40 caliber ammunition, in violation of Title 18, United States Code, Section 922(g)(1).

COUNT TWO: (18 U.S.C. § 922(g)(5) – Alien in Possession of Firearm and Ammunition)

On or about July 1, 2015, in the Northern District of California, the defendant,
JOSE INEZ GARCIA-ZARATE, a/k/a Juan Jose Dominguez De La Parra,
a/k/a Jose Luis Garcia Sanchez, a/k/a Juan Garcia Sanchez, a/k/a Juan Francisco Lopez-Sanchez,
then being an alien illegally and unlawfully in the United States, did knowingly possess, in and affecting
interstate and foreign commerce, a firearm and ammunition, to wit, one (1) .40 caliber Sig Sauer P239
semi-automatic pistol, serial number SA4 144 075, and multiple rounds of Winchester ranger 165 grain
.40 caliber ammunition, in violation of Title 18, United States Code, Section 922(g)(5).

FORFEITURE ALLEGATIONS: (18 U.S.C. § 924(d), 28 U.S.C. § 2461)

The allegations contained in Counts One and Two of this Indictment are realleged and by this
reference fully incorporated herein for the purpose of alleging forfeiture pursuant to the provisions of
Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c).

Upon conviction of the offense alleged herein, the defendant,
JOSE INEZ GARCIA-ZARATE, a/k/a Juan Jose Dominguez De La Parra,
a/k/a Jose Luis Garcia Sanchez, a/k/a Juan Garcia Sanchez, a/k/a Juan Francisco Lopez-Sanchez,
shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c), any
firearms and ammunition involved in the commission of the offense, including but not limited to the
following property:

- a. One (1) .40 caliber Sig Sauer P239 semi-automatic pistol, serial number SA4 144 075, and any ammunition seized or associated with the handgun.

If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

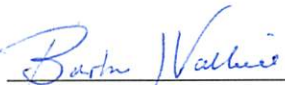
All pursuant to 18 U.S.C. § 924(d), 28 U.S.C. § 2461, and Federal Rule of Criminal Procedure 32.2.

DATED: 12/5/17

A TRUE BILL.


FOREPERSON

BRIAN J. STRETCH
United States Attorney


BARBARA J. VALLIERE
Chief, Criminal Division

(Approved as to form:  )
AUSAs HALLIE HOFFMAN & SHIAO LEE

INDICTMENT